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8 Attorneys for Defendant.
9 CHEVRON U.S.A. INC.,
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10
11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

13 MARK SNOOKAL, an individual,

14 Plaintiff,

15 vs.

16 CHEVRON USA, INC., a California
Corporation, and DOES 1 through 10,
inclusive,

17 Defendants.

18 Case No. 2:23-cv-6302-HDV-AJR

19
20 **DEFENDANT CHEVRON USA, INC.’S
OPPOSITION TO PLAINTIFF MARK
SNOOKAL’S MOTION IN LIMINE NO.
4 TO EXCLUDE REFERENCE TO
PLAINTIFF’S CARDIAC MEDICAL
HISTORY AFTER SEPTEMBER 2019**

21 Date: July 24, 2025

Time: 10:00 a.m.

Place: Courtroom 5B – Fifth Floor

District Judge: Hon. Hernán De. Vera
Magistrate Judge: Hon. A. Joel Richlin

Action Filed: August 3, 2023

Trial Date: August 19, 2025

1 **OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4**

2

3 Defendant Chevron U.S.A. Inc., a Pennsylvania corporation ("Chevron U.S.A."),
4 hereby opposes Plaintiff Mark Snookal's Motion in Limine No. 4 seeking to exclude
5 references to Plaintiff's cardiac medical history after September 2019.

6 Plaintiff's motion should be denied because Plaintiff's post-September 2019
7 cardiac medical history is clearly relevant. This is a disability discrimination case where
8 Plaintiff is seeking to recover, among other things, emotional distress damages
9 purportedly arising from Chevron U.S.A.'s alleged acts. In other words, Plaintiff has put
10 his mental state at issue in the case. Chevron is entitled to show that Plaintiff's mental
11 state may have been affected by causes or stressors other than Chevron's alleged acts.
12 Sanchez v. U.S. Airways, Inc., 202 F.R.D. 131, 136 ("To allow Plaintiffs to make a claim
13 for emotional distress, but shield information related to their claim, is similar to shielding
14 other types of medical records. For instance, if the injury at issue were to the knee, and
15 Plaintiff had sustained a subsequent knee injury requiring treatment, Plaintiffs would not
16 be able to hide the details of the subsequent knee injury because of privilege or privacy
17 considerations.... The only way to adequately review the facts is to bring to light
18 relevant information."). "For each item of damages ... the plaintiff must show that the
19 damage was proximately caused by the defendant's unlawful conduct. In turn, the
20 [defendant] is entitled to show that other factors contributed to the plaintiff's damages."
21 E.E.O.C. v. California Psychiatric Transitions, 258 F.R.D. 391, 400 (E.D. Cal. 2009).

22 As Plaintiff acknowledges in his motion, he has had ***two heart surgeries*** since the
23 alleged discriminatory act occurred in 2019. Mot., 5:20-22. It would be imminently
24 reasonable for the jury to conclude that these two heart surgeries contributed, at least in
25 part, to Plaintiff's alleged emotional distress. This is particularly true in light of the fact
26 Plaintiff suffers from a ***serious*** heart condition—a dilated aortic root. It would be logical
27 and fair for a jury to conclude Plaintiff may be even more concerned about heart surgery
28 than the average person, or that Plaintiff's ongoing heart issues have had a major impact

1 on his emotional state. Plaintiff attempts to downplay the significance of the two heart
2 surgeries in his brief (see Mot., 6:3-4) but it is not for him to decide whether they affected
3 his emotional state—that is the role of the jury. As such, information (including medical
4 records) pertaining to Plaintiff's two heart surgeries since September 2019 is directly
5 relevant to Plaintiff's claims, and admissible.

6 Plaintiff claims that references to the two heart surgeries since 2019 could
7 somehow be prejudicial but does not spend any time explaining how. Instead, he simply
8 states such references “may have a strong emotional appeal” or could somehow “invoke
9 [the jury's] biases” without explaining why or how. This is insufficient to show any
10 prejudice at all, much less unfair prejudice that outweighs the probative value of the
11 information. In any event, any risk of unfair prejudice, of which there is extremely little,
12 can be avoided by an instruction from the Court, if needed, as to the limited purpose for
13 which such evidence may be introduced. Tamko Roofing Products v. Ideal Roofing, 282
14 F.3d 23, 40 (1st Cir. 2002).

15 For all these reasons, this Court should deny Plaintiff's Motion in Limine No. 4
16 and instead permit Chevron U.S.A. to introduce evidence of Plaintiff's cardiac medical
17 history after September 2019 at trial.

18
19 Dated: July 15, 2025

20 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

21
22 By _____

/s/ Tracey Kennedy

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